

# Notice of Allowability

Application No.

09/496,065

Examiner

Michael J. Simitoski

Applicant(s)

ASOKAN ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE of 5/8/06.
2. ☒ The allowed claim(s) is/are 9-14, 16-21, 23, 25, 26 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 7/17/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Jacques Louis Jacques*  
**JACQUES LOUIS JACQUES**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### **DETAILED ACTION**

1. The response of 5/8/2006 was received and considered.
2. Claims 9-14,16-26 and 30 are pending.
3. An Examiner's amendment, canceling claims 22 & 24, begins on p. 3.
4. The Examiner's reasons for allowance being on p. 4.

### ***Drawings***

5. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings (2/9/04 & 1/13/05) contain handwritten text, which is difficult to read. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

**EXAMINER'S AMENDMENT**

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anne Dougherty (914-962-5910) on 7/17/2006.

The application has been amended as follows:

Please CANCEL claims 22 & 24.

*Allowable Subject Matter*

7. Claims 9-14, 16-21, 23, 25-26 and 30 are allowed.
8. The following is an examiner's statement of reasons for allowance:

Regarding claims 9, 11 & 30, **Merritt** discloses a server/host (Fig. 1, #2), a communications component/communication line (col. 2, lines 48-64) for establishing and conducting communications along a first trusted connection with the terminal (Fig. 1, #9) and along a second trusted connection with said user input device (data transfers from the user's card to the host through the ATM) (Fig. 1, #9, col. 4, lines 46-51 & col. 6, lines 21-22) wherein the first trusted connection is separate from the second trusted connection (each have unique source/destination), receiver means for receiving at least one authentication request from said terminal (Fig. 3, #310 & #360), at least one authentication component for verifying the authenticity of the terminal (Fig. 1, #4, #8, Fig. 3, #315 & col. 4, line 58 – col. 5, line 17) and a message generation component for generating at least one authenticity output message/PSP (col. 4, lines 11-20) for delivery (from host to ATM screen) (Fig. 1, #3) and a storage location (Fig. 1, element 3) for storing a user-specific authenticity output message/PSP (col. 4, lines 11-20).

**Manduley** teaches that smart cards are useful in secure transactions, particularly as an electronic purse (col. 1, lines 11-29) and that exchanging messages between a user and a smart card is useful to make sure the correct user is using the smart card (col. 2, lines 7-23 & col. 1, lines 41-56). **Manduley** teaches that the smartcard contains an LCD display that will, at the request of the server/issuing authority, display a message to the user (col. 3, lines 11-16, lines 47-58). This message can be a message requesting the user to enter a response (col. 3, lines 47-58) to authenticate the user's presence (col. 4, lines 7-15). The response is encrypted, thereby

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authenticating the card (col. 2, lines 7-15 & col. 4, lines 7-13). In this situation, the smart card is acting as a second interface to the server (rather than just the terminal). **Hoss** teaches that to allow a remote source to control a smart card at any time (col. 1, lines 29-32, col. 2, lines 1-7 & lines 1-59), the card contains an RF receiver that can display messages to the user (Fig. 1 & col. 3, lines 11-17).

However, the prior art relied upon fails to teach or suggest, nor provides motivation to combine the prior art to teach or suggest establishing a first trusted connection between the server and the terminal, establishing a second trusted connection between the server and the user input device, receiving at least one authentication request from said terminal based on user input to said terminal and generating at least one authenticity output message in response to said user input for delivery to said user input device along said second trusted connection without delivery of said message along the first trusted connection between the terminal and the server, in combination with the other elements of the claim(s). See also Applicant's response (pp. 13-15 & 18-20).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

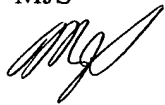
*Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJS



July 17, 2006

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